

BUSINESS RECORDS AFFIDAVIT

THE STATE OF TEXAS

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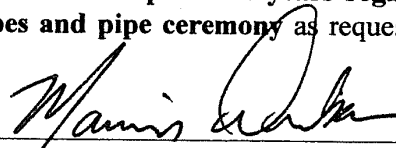
WALKER COUNTY

BEFORE ME, the undersigned authority, personally appeared Marvin Dunbar, who being by me duly sworn, deposed as follows:

My name is Marvin Dunbar; I am of sound mind, capable of making this Affidavit and personally acquainted with the facts herein stated.

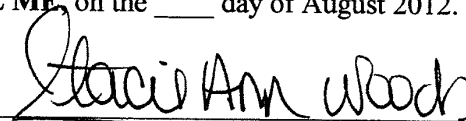
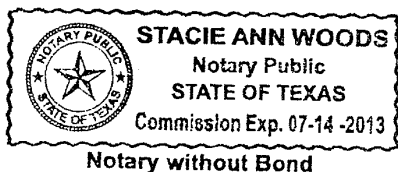
I am the custodian of the chaplaincy offender records of the Texas Department of Criminal Justice Chaplaincy Headquarters. This request is for **Religious Practices Committee minutes for the past five years regarding any requests for kouplock, medicine bags and/or pipes and pipe ceremony**. These said records are kept by myself in the regular course of business, and it was the regular course of business of this office for an employee or representative of our department, with knowledge of the act, event, condition, opinion or diagnosis, recorded to make the record or to transmit information thereof to be included in such record; and the record was made at or near the time or reasonably soon thereafter. The records attached hereto are the original or exact duplicates of the original.

Attached is **Religious Practices Committee minutes for the past five years regarding any requests for kouplock, medicine bags and/or pipes and pipe ceremony** as requested by the Office of Attorney General.

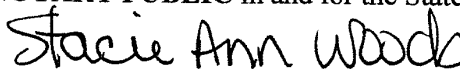


Marvin Dunbar
Manager III/Services
Rehabilitation Programs Division
Texas Department of Criminal Justice

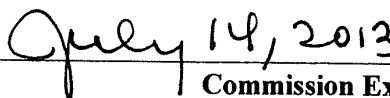
SWORN TO AND SUBSCRIBED BEFORE ME, on the ____ day of August 2012.



NOTARY PUBLIC in and for the State of Texas



NOTARY PUBLIC printed name



Commission Expiration Date



Religious Practices Committee Meeting

Mr. Thaler's Conference Room, Huntsville, TX
June 11, 2011

Minutes

Chairman: Bill Pierce
Type of Meeting: Open Forum Discussion
Attendees: R.C. Thaler, Geralyn Engman, Cynthia Milne (legal advisors), Thomas Prasifka, Marvin Dunbar, Bill Pierce, Kelly Enloe, Clint Morris, Stacie Woods

Topics of Discussion

1. Approval of March 18, 2011 meeting minutes

Discussion:

Action Taken: Approved **Deadline:** N/A
Person Responsible: N/A

2.

An offender housed at the Ferguson Unit whose religious preference is Bahai requested religious holy days for March 2-March 20 by being allowed to eat before sun up and after sun down.

Discussion: B. Bailey with (L & F) stated this request would be acceptable by his department.

Action Taken: Approved **Deadline:** NA
Person Responsible: NA

3.

An offender housed at the Jester III Unit whose religious preference is Bahai requested a spiritual shower on Fridays.

Discussion: The committee requests to know what the offender means by a shower on Fridays at noon, and if he can show the Unit Chaplain where it is stated in his religious text.
 The offender has since moved from J3 to P1 unit.

Action Taken: Defer **Deadline:** 7/15/11
Person Responsible: Stacie Woods

4.

An offender housed at the Lewis Unit whose religious preference is Thelma requested Mala beads (prayer beads).

Discussion: The newly revised Chaplaincy Manual reflects all religions can purchase prayer beads in accordance to the size indicated in the manual.

Action Taken: Approved **Deadline:** NA

Person Responsible: NA

5.

An offender housed at the Ellis Unit whose religious preference is Greek Orthodox requested a lay-in for his religious holy days.

Discussion: The religious authority reviewed the list of holy days and concurred with the need for a lay-in on Holy Pascha (Good Friday).

Action Taken: Approved **Deadline:** NA

Person Responsible: NA

6.

An offender housed at the Stringfellow Unit whose religious preference is Church of God, The Eternal requested a specific lay-in for Day of Pentecost (on the Monday after Sunday Pentecost).

Discussion: The committee will submit an approval letter to the offender for this specific holy day to be effective from year to year during the duration of his sentence. The Church of God, The Eternal is listed under the Church of God in the newly revised Chaplaincy Manual.

Action Taken: Approved **Deadline:** NA

Person Responsible: NA

7.

An offender housed at the Terrell Unit whose religious preference is Native American Shamanism requested a grooming allowance, specifically a kouplock.

Discussion: All issues were denied.

Action Taken: Denied **Deadline:** NA

Person Responsible: NA

8

An offender housed at the Stringfellow Unit whose religious preference is House of Yaweh requested Kosher meals.

Discussion: The committee wants to be advised on any issues with multi-faith groups sharing a Kosher kitchen.

Action Taken: Defer **Deadline:** 7/15/11

Person Responsible: C. Morris & S. Woods

9.

An offender housed at the Crain Unit whose religious preference is Jewish requested Kosher meals.

Discussion: Agency is evaluating request.

Action Taken: Defer **Deadline:** NA

Person Responsible: NA

10.

Offenders housed at the Stringfellow Unit whose religious preference is Jewish requested to wear full beards and payot (side burns), a tzitzit, a yarmulke (full time) and to have services without Rabbi Goldstein or an approved volunteer present.

Discussion: All issues were denied.

Action Taken: Denied **Deadline:** NA

Person Responsible: NA

11. Phylactery

Rabbi Goldstein requested Jewish offenders on non-designated units is be allowed to purchase a Phylactery.

Discussion: The item is to be kept in the Chaplain's office/area, to be used during scheduled services with an approved volunteer.

Action Taken: Approved **Deadline:** NA

Person Responsible: NA



Religious Practices Committee Meeting

September 22, 2011
Mr. Thaler's Conference Room, Huntsville, TX

Minutes

Chairman: Bill Pierce
Type of Meeting: Open Forum Discussion
Attendees: Thomas Prasifka (representing R.C. Thaler), Geralyn Engman (representing Madeline Ortiz), Cynthia Milne (non-voting legal advisor), Bill Pierce, Kelly Enloe, Clint Morris, Stacie Woods

Topics of Discussion

1. Approval of June 11, 2011 meeting minutes

Discussion:

Action Taken: Approved **Deadline:** N/A
Person Responsible: N/A

2.

An offender housed at the Jester III Unit whose religious preference is Bahai requested a spiritual shower on Fridays.

Discussion: Religious authority did not support the need for a shower on a designated day of the week, only that the religion supports good hygiene practices.

Action Taken: Denied **Deadline:** NA
Person Responsible: NA

3.

An offender housed at the Stringfellow Unit whose religious preference is House of Yaweh requested Kosher meals.

Discussion: The pork-free/meat-free meals provided by TDCJ meets the requirements of the scriptures the offender provided.

Action Taken: Denied **Deadline:** NA
Person Responsible: NA

4.

An offender housed at the Crain Unit whose religious preference is Jewish requested Kosher meals.

Discussion: Operationally unfeasible.

Action Taken: Denied **Deadline:** NA

Person Responsible: NA

5.

An offender housed at the Lewis Unit whose religious preference is Hinduism requested a prayer bead bag.

Discussion: The size of the bag poses a security issue due to the fact officers can not identify what the offender is holding i.e.: beads or weapon
(The bag's intent is to "hide" the person hand while praying.)

Action Taken: Denied **Deadline:** NA

Person Responsible: NA

6.

An offender housed at the Clements Unit whose religious preference is Wicca requested a storage pouch for his commissary purchased Rune Stones.

Discussion: The Rune Stones are purchased in a sturdy clear ziplock bag.

Action Taken: Denied **Deadline:** NA

Person Responsible: NA

7.

An offender housed at the Diboll Unit whose religious preference is Santeria requested a (1) black cap, (2) a black prayer rug, (3) black prayer beads, (4) a grim reaper medallion, (5) a plastic statue of the grim reaper, (6) a black scry bowl, and (7) prayer oil.

Discussion: Item #1 Denied. The offender may purchase a white cap for in-cell/worship
Item #2- Prayer rugs are approved for all religions and may be any color as long as the size fits policy guidelines
Item #3 Approved. The beads must meet policy standards.
Item #4 Denied. Research indicates the Medicine Wheel medallion as representative of the Santeria faith and can be purchased through commissary.
Item #5 Denied. The committee recommends the offender purchase a base-ball sized photo of the grim reaper.
Item #6 Denied. A bowl sold in commissary could serve the purpose.
Item #7 Prayer oil is approved for all religions for purchase through commissary.

Action Taken:	Multiple Responses	Deadline:	NA
Person Responsible:	NA		
8.			
An offender housed at the Scott Unit whose religious preference is House of Yaweh requested a pork-free sack meal on Yom Kippur (Day of Atonement).			
Discussion:	The offender will follow policy when requesting a sack meal and will be responsible for informing the chaplain/kitchen regarding the pork-free preference.		
Action Taken:	Approved	Deadline:	NA
Person Responsible:	NA		
9. Sabbath Keepers Fellowship			
Sabbath Keepers Fellowship requested that female offenders of the Sabbatarian faith be allowed to wear a head scarf.			
Discussion:	The committee request to know approximately how many female offenders are approved to wear the head scarf.		
Action Taken:	Defer	Deadline:	12/1/2011
Person Responsible:	C. Morris		
10. (
An offender housed at the Robertson Unit whose religious preference is Odinist/Asatru requested (1) to be housed at a designated unit of his faith/or in-cell with an offender of his faith, or be transferred to a unit that offers religious programming of like faith. (2) a wooden blessings bowl, (3) an evergreen twig, (4) an alter/alter cloth, (5) All religious devotional items not be handled by staff or officers and only subject to visual search, (6) allowed to wear a 1/4 inch beard, (7) have offender coordinators to to lead services,			
Discussion:	Item #1- Defer		
	Item #2- Denied. A bowl purchased through commissary can serve this purpose		
	Item #3- Approved for group service with an approved volunteer		
	Item #4- Denied. A commissary purchased handkerchief can be used as an alter cloth.		
	Item #5- Denied.		
	Item # 6- Denied.		
	Item #7- Denied		
Action Taken:	Multiple Responses	Deadline:	12/1/2011
Person Responsible:	C. Morris		
11.			

An offender housed at the Terrell Unit whose religious preference is Native American requested to be able to build a shrine dedicated to ancestors for his cell/bunk area.

Discussion:

Action Taken:	Denied	Deadline:	NA
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Person Responsible: NA

12. _____

An offender housed at the Estelle Unit whose religious preference is Native American Shamanism, has requested (1) a sweat lodge and (2) a prayer pipe service conducted by offenders.

Discussion:

Action Taken:	Denied	Deadline:	NA
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Person Responsible: NA

13.

An offender housed at the Terrell Unit whose religious preference is Native American has requested to gift approved religious items to an indigent offender.

Discussion: The committee suggest any indigent offenders contact the unit chaplain or contract Native American chaplain regarding items needed.

Action Taken:	Denied	Deadline:	NA
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Person Responsible: NA



Religious Practices Committee Meeting

December 13, 2011
Mr. Thaler's Conference Room, Huntsville, TX

Minutes

Chairman: Bill Pierce
Type of Meeting: Open Forum Discussion
Attendees: R.C. Thaler, Madeline Ortiz, Thomas Prasifka, Cynthia Milne (non-voting legal advisor), Bill Pierce, Kelly Enloe, Marvin Dunbar, Clint Morris, Stacie Woods
Observing: Stephen Ulmer, Ernest Brown, Susan Mathis, Samuel Longoria, Rory Murphy, and Wallace Nelson

Topics of Discussion

1. Approval of September 22, 2011 meeting minutes

Discussion:

Action Taken: Approved **Deadline:** N/A
Person Responsible: N/A

2. Holy Transfiguration Monastery

A provider requested approval to provide a small bottle of blessed water and a clear baggy of dried bread (cubed-sized) to be used by Orthodox Christian offenders on Sunday and major feast days in lieu of Eucharist and to be replenished as needed (twice per year.)

Discussion: It was discussed that the bottles could hold a variety of clear liquids and could serve as a easy place to store alcohol for offenders, as well as the bottle not being a sealed product.

Action Taken: Denied **Deadline:** NA
Person Responsible: NA

3. I

An offender housed at the Carol Young Unit whose religious preference is Baptist requested to tithe to indigent offender, by providing money to their commissary trust fund accounts.

Discussion: Committee recommends the offender follow procedures to donate money to an outside organization. (name policy)

Action Taken: Denied **Deadline:** NA
Person Responsible: NA

4. Myoken-ji Temple

A provider requested approval of wrist prayer beads for use by Buddhist offenders.

Discussion:

Action Taken: Denied Deadline: NA
 Person Responsible: NA

5.

An offender housed at the Hughes Unit whose religious preference is Odinist Asatru requested to purchase an 1) Oath ring to wear in his cell during his personal worship, 2) to change the name of the medicine bag (offered through the commissary) to Rune bag or Rune pouch, 3) to purchase a bowl for worship made of natural elements (wood, stone, horn) and 4) an alter cloth.

Discussion: 1) Approved for group worship only, the approval volunteer shall bring in the
 the oath ring and take it back off the unit when services are complete.
 2) denied
 3) denied- the offender may use a bowl purchased in the commissary
 4) denied- a commissary handkerchief can be used

Action Taken: multiple actions Deadline: NA
 Person Responsible: NA

6.

An offender housed at the Hughes Unit whose religious preference is Native American requested to be permitted to smoke the pipe.

Discussion: Denied- it was determined by TDCJ Health Services to be a health risk due to
 infectious diseases. TDCJ NA contract chaplain provided an alternative-
 due to disease issues the "elder" or pipe carrier to smoke the pipe for
 the people of the circle.
 The offenders religious authority was unable to be reached.

Action Taken: Denied Deadline: NA
 Person Responsible: NA

7.

An offender housed at the Dominguez Unit whose religious preference is Buddhist requested to be transferred to a unit with Buddhist services.

Discussion: A CID/RPD committee is discussing the feasibility of this request.

Action Taken: Defer Deadline: NA
 Person Responsible: NA

8.

An offender housed at the Estelle Unit whose religious preference is Native American Shamanism requested to 1) be transferred to Connecticut via Interstate Compact, and 2) to be permitted to wear a cock's comb (mohawk).

Discussion: 1) Defer- Classification representative will research this option.
2) Denied.

Action Taken: multiple response **Deadline:** next meeting

Person Responsible: Classification Rep.

9. Buddhist Program worship items (stored in Chapel)

The Buddhist Program located at the Stiles Unit is currently using the following items, per the permission of the Unit Administration and the items are stored in the chapel between services. (multi-colored) Peace Prayer Shawls, meditation pillows, Buddhist statues and various small items for the altar such as blessing bowls, banners, and altar cloths.

Discussion: The committee requested an inventory of all items currently used at other units for Buddhist worship.

Action Taken: Defer **Deadline:** 2/10/2012

Person Responsible: S. Woods

10. The Chairperson, B. Pierce, asked the members if a similar item has already been approved by the committee for one faith, would the committee prefer to allow other faiths to also be approved for that same item, if a religious need is determined?

This was presented in an effort to reduce the number of HQ-150 religious accommodation requests that are identified as a repetitive request, but did not pose to be a security threat. Example: religious medallions provided through commissary, holy days (not requiring a layin or fasting).

Discussion: The committee was open to discuss this further.

Action Taken: NA **Deadline:** NA

Person Responsible: NA

11. Sabbath Keepers Fellowship

Sabbath Keepers Fellowship requested that female offenders of the Sabbatarian faith be allowed to wear a head scarf.

Discussion:

Action Taken: Approved **Deadline:** N/A

Person Responsible: N/A

MINUTES
Religious Practice Committee
Meeting of February 17, 2010

The meeting was called to order at 1:30 p.m. Members present were R.C. Thaler, Madeline Ortiz, Marvin Dunbar, Bill Pierce, Thomas Prasifka, Sharon Howell (non-voting member), Cynthia Milne (non-voting member), Becky Price, Nolan Glass, Suzann Vaughn (Commissary Representatives) and non-voting staff member Clint Morris.

The minutes of the previous meeting (August 5, 2009) were approved as submitted.

Per the request of *Jewish Contract Chaplain Rabbi Goldstein*, the Rabbi is requested that the committee review *Passover items* and whether they should be purchased through the TDCJ commissary or the Aleph Institute due to the fact that the Alpha Institute can offer the items cheaper than the commissary.

Denied. Due to the fact that the items have already been ordered by the commissary for the upcoming Holy days. Security representative feels it would be more secure if offered through TDCJ commissary, the committee would like to request that Rabbi Goldstein get with the Aleph Institute and offer same prices through the commissary at next Holy day. Nolan Glass (Commissary representative) stated only a small amount to cover shipping charges is added to the cost of the items.

Offender _____ of the *Smith Unit*, whose religious preference is listed as *Neo Pagan*, requested he be able to purchase a medallion that better represents his religion than the currently approved Neo Pagan approved medallion.

Denied. Due to the fact there is an existing medallion for this faith the committee does not want to begin offering variations of medallions as this will become too confusing for security to monitor.

Offender _____ of the *Briscoe Unit*, whose religious preference is listed as *Celtic*, requested to be able to purchase a Celtic Druid medallion.

Denied. Due to the fact there is an existing medallion for this faith the committee does not want to begin offering variations of medallions as this will become too confusing for security to monitor.

Offender _____ of the *Michael Unit*, whose religious preference is listed as *Native American Shamanism*, requested to be able to purchase religious music cassettes from Canyon Records.

Denied. Due to the fact no other offender is allowed to have music for private use.

Offender _____ of the *Michael Unit*, whose religious preference is listed as *Native American*, requested to have two (2) pipe ceremonies per month instead of one (1), also the recognition of "Trail of Tears" as an approved Native American Holy Day.

(Two ceremonies) Denied. Due to a lack of resources to provide a second pipe ceremony. **(Holy Day) Denied.** The RPC committee has recently changed the Native American Holy Days to reflect the four (4) current Holy Days thus excluding all political holidays.

Offender _____ of the *Michael Unit*, whose religious preference is listed as *Native American*, requested a personal prayer pipe, to be able to receive a small amount of his deceased parent's (mother and father) hair to be kept in his medicine bag and to also recognize Sand Creek Massacre as a Native American Holy Day.

(Personal Pipe) Denied. Due to the fact that it would be considered contraband and that smoking is prohibited due to fire hazard. **(Hair) Denied.** Due to a health issue. **(Holy Day) Denied.** The RPC committee has recently changed the Native American Holy Days to reflect the four (4) current Holy Days thus excluding all political holidays.

Offender _____ of the *Ellis Unit*, whose religious preference is listed as *Greek Orthodox*, requested a prayer rope and the Greek Orthodox Holy Days to be included in the Chaplaincy Manual.

(Prayer rope) Denied. Due to the rope's ability to stretch it could be used as a weapon. The committee will review alternatives as they are available from the religious authority. **(Holy Days) Approved.** As listed below;

Jan 1- The Circumcision of Jesus Christ; St. Basil the Great

Jan 6- Epiphany Day

March 25- The Annunciation of the Blessed Virgin Mary

March 28- Palm Sunday

April 4- Holy Pascha

May 23- Sunday of Pentecost

August 15- Dormition

December 25- Christmas Day

Offender _____ of the *Hughes Unit*, whose religious preference is listed as *Vampirism*, requested Vampirism be recognized as a religion, to have "Vamadanish" listed as an approved religious Holy Day in the Chaplaincy Manual and to have the following items approved as devotional items; Prayer rug, Black beads, Vampire cross, Head covering, a skull, Black mirror, Silver chalice, Pentagram box.

The RPC does not recognize religions; the offender is able to name any religion as his/her religious preference. **(Religious Holy Day and devotional items) Denied.** The religious authority provided did not support a necessity for the items requested.

Other Religious Issues to be discussed:

Discussion of the Offender Telephone System and offender's personal minister/pastor. This issue has previously deferred until the system was up and running. **The committee agreed this is to be referred to TDCJ Executive Mr. Baldwin.**

**Religious Practice Committee
Meeting of June 2, 2010**

For Review - not for RPC Approval

I. Offender [redacted] of the **Coffield Unit**, whose religious preference is listed as **Messianic Jewish**, requested that he be able to transfer to a unit with Messianic Jewish services.

Response: Denied. Chaplaincy is not responsible for transferring offenders to other units. The offender should speak to the Unit Classification about this matter.

II. Offender [redacted] of the **Luther Unit**, whose religious preference is listed as **Native American**, requested to be allowed to purchase a medicine wheel medallion from a magazine instead of the unit commissary.

Response: Denied. It was determined on February 17, 2010 by the RPC Committee there would be no medallion purchases outside of the Unit Commissary in order to keep from having various types in the system.

III. Offender [redacted] of the **Michael Unit**, whose religious preference is listed as **Native American**, requested to be able to have access to Native American Prayer Pipe Ceremony while in Segregation.

Response: This is no longer an issue due to the fact this offender is no longer housed in Administrative Segregation.

IV. Offender [redacted] of the **Clemens Unit**, whose religious preference is listed as **Wicca**, requested that Chaplaincy Department add to the Chaplaincy Manual about security only be allowed to visually inspect the sacred items kept in their Wicca medicine bag.

Response: Approved. Wicca religious authority conferred with this request, stating the Wicca religion consist of a Purification/Consecration Ritual of all ritual tools including items kept in medicine bag. This request is being implemented as part of the upcoming CM policy changes.

MINUTES
Religious Practice Committee
Meeting of May 18, 2009

The meeting was called to order at 1:30 p.m. Members present were Nathaniel Quarterman, Madeline Ortiz, Donna Gilbert, Bill Pierce, Stephen Rogers (alternate for Beverly Stewart), Sharon Howell (by telephone conference, non-voting member), Nolan Glass (TDCJ Commissary representative) and staff member Stacie Woods.

The minutes of the previous meeting (December 17, 2008) were approved as submitted.

Offender _____ of the **Robertson Unit**, whose religious preference is listed as **Wicca**, requested to be able to purchase an alter cloth for in-cell worship;

The committee requested to see a sample of the alter cloth and has deferred this item until the next meeting.

Offender _____ of the **Terrell Unit**, whose religious preference is listed as **Native American**, requested to be able to purchase rune stones;

The committee has deferred this item for further research until the next meeting.

Offender _____ of the **Allred Unit**, whose religious preference is listed as **Native American**, requested to be able to purchase the below listed items;

- All purpose cement
- 10 soft buckskin thongs
- Eagle head and claws
- Wrapped Medicine Wheel Kit 4"
- Small Medicine bag *already an approved item
- Coup feather kit with imitation feathers
- 7 turquoise nuggets 14-16mm
- Bone Buffalo Skull

The committee's decision on each item is listed below;

- All purpose cement **-Denied**
- 10 soft buckskin thongs **-Denied, the committee suggests the offender purchase a plain leather headband as currently listed as an approved item.**
- Eagle head and claws **-Denied**
- Wrapped Medicine Wheel Kit 4"-**The committee suggests the offender purchase the medicine wheel medallion currently available through commissary.**
- Small Medicine bag **-Denied, there is a currently approved medicine bag available.**
- Coup feather kit with imitation feathers **-Denied**

- 7 turquoise nuggets 14-16mm-**Denied**
- Bone Buffalo Skull -**Denied**

Church of Light a supplier of Tarot Cards requested on the behalf of TDCJ offenders, to be able to purchase Tarot Cards for their spiritual development the request was not specific to a faith;

The committee denied this request. As per the current policy, tarot cards are to remain accessible to offenders of specific faiths during time of service and only when an approved volunteer is available.

Offender , of the ***Smith Unit***, whose religious preference is listed as ***Wicca***, requested tarot cards and text, astrology text, services and study groups, and Holy Day Services.

The committee denied the purchase of tarot cards as per the current Chaplaincy policy. Services, study groups and Holy Day services should be available as time and space is allowed and an approved volunteer is available. The committee approves the purchase of an astrology text that meets the guidelines as set by the MSCP policies.

Other Religious Issues discussed:

The committee discussed commissary providing Muslim prayer oil for offender purchase.

This item has been deferred for further research. The committee was informed by Nolan Glass that TCI is developing an oil to be provided by the Unit Commissary. The committee recommended researching the development of a scented version of the oil to be provided by TCI for this purpose.

The concerns raised about the oils presented were of the ingredients, specifically would the oil burn the eyes and is it flammable, both causing a possible security concern.

The committee discussed identification methods for offenders who are born Native American and who are registered with the Bureau of Indian Affairs before incarceration.

The committee agreed not to implement changes in the identification process of Native American offenders at this time.